

**RAILROAD COMMISSION OF TEXAS
HEARINGS DIVISION**

OIL & GAS DOCKET NO. 20-0323095

IN RE: P-5 ORGANIZATION REPORT OF WTP ENERGY, INC.

FINAL ORDER

The Commission finds that after notice and an opportunity for hearing regarding the captioned matter, the Operator failed to request a hearing and pay the hearing fee as required by 16 TEX. ADMIN. CODE §3.15(g)(4) and TEX. NAT. RES. CODE §89.022(f). This matter having been duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas, the Commission makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

1. WTP Energy, Inc. [Operator #945233] (the "Operator"), is the record operator or one or more inactive wells in the State of Texas and is required to file Organization Report (Form P-5) with the Commission. Operator's most recent P-5 was due on or before April 1, 2019.
2. After filing its most recent Organization Report (Form P-5) with the Commission, the Operator was notified they were deficient and had failed to comply with the requirements of 16 TEX. ADMIN. CODE § 3.15 (Surface Equipment Removal Requirements and Inactive Wells) and provided with a written statement of the reasons for the determination and allowed ninety (90) days from the date its P-5 was due to comply with the requirements of 16 TEX. ADMIN. CODE § 3.15 and TEX. NAT. RES. CODE §§89.021 - 89.030.
3. After the expiration of ninety (90) days and pursuant to 16 TEX. ADMIN CODE §3.15(g)(4), an authorized Commission employee determined that the Operator's Organization Report still could not be renewed because the Operator continued to fail to comply with the requirements of 16 TEX. ADMIN. CODE §3.15 (Surface Equipment Removal Requirements and Inactive Wells).
4. The Commission sent the Operator a letter by certified mail giving notice to the Operator of the determination of continued non-compliance regarding specified inactive wells, attached as Exhibit A to this order, and advising the Operator of the right to request a hearing to show compliance. The letter notified the Operator that the hearing request must be received in docket services no later than 30 days after the date of the letter. The letter also notified the Operator that a final order denying renewal of the Operator's

Organization Report (Form P-5) would result in the cancellation of all P-4 Certificates of Compliance and the severance of all pipeline or other carrier connections.

5. All notices and letters from the Commission to the Operator on this matter were addressed and mailed to the Operator's most recently reported address on the Form P-5 Organization Report.

6. The Operator did not timely request a hearing and pay the hearing fee on these issues as required under 16 TEX. ADMIN. CODE §3.15(g)(4) (Surface Equipment Removal Requirements and Inactive Wells).

7. Statewide Rule 15 (16 TEX. ADMIN. CODE §3.15) is a Commission rule that relates to safety or the prevention or control of pollution.

CONCLUSIONS OF LAW

1. The Operator received proper notice and an opportunity for hearing regarding compliance with 16 Tex. Admin. Code §3.15 and Tex. Nat. Res. Code §§89.021 - 89.030.

2. All things necessary to the Commission attaining jurisdiction over the subject matter and the parties in this matter have been performed or have occurred.

3. The Operator is in violation of Commission Statewide Rule 15 and did not timely request a hearing to contest the determination that it was in violation.

4. The Operator's P-5 Organization Report should not be renewed and all the Operator's P-4 Certificates of Compliance should be cancelled, with all related pipeline or other carrier connections severed. 16 Tex. Admin. Code §3.15 (g)(4) and Tex. Nat. Res. Code §§89.022(f), 91.704 - 91.706.

5. The Operator's P-5 Organization Report cannot be renewed until the operator brings the inactive wells shown on the attached Exhibit A into compliance with the requirements of 16 Tex. Admin. Code §3.15 and Tex. Nat. Res. Code §§89.021 - 89.030.

IT IS ORDERED that renewal of WTP Energy, Inc.'s P-5 Organization Report is hereby **DENIED**.

It is further ORDERED that all P-4 Certificates of Compliance issued to WTP Energy, Inc. as operator of record are hereby **CANCELLED** and all related pipeline or other carrier connections are hereby **SEVERED**.

It is further ORDERED that WTP Energy, Inc. shall bring the wells on Exhibit A into compliance with Statewide Rule 15 (16 TEX. ADMIN. CODE §3.15) and that the Operator's P-5 Organization Report shall not be renewed until the wells on Exhibit A have been brought into compliance as required by this order.

It is further ORDERED that WTP Energy, Inc. and each person who held a position of ownership or control in the Operator at the time the Operator's most-recent P-5 Organization Report was filed shall be subject to the terms of TEX. NAT. RES. CODE §91.114.

It is further ORDERED by the Commission that this order shall not be final and effective until 25 days after the Commission's Order is signed, unless the time for filing a motion for rehearing has been extended under Tex. Gov't Code §2001.142, by agreement under Tex. Gov't Code §2001.147, or by written Commission Order issued pursuant to Tex. Gov't Code §2001.146(e). If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to Tex. Gov't Code §2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law is hereby extended until 100 days from the date the Commission Order is signed.

All requested Findings of Fact and Conclusions of Law which are not expressly adopted herein are **DENIED**. All pending motions and request for relief not previously granted or granted herein are **DENIED**.

RAILROAD COMMISSION OF TEXAS

(Signatures affixed by Rule 15 Inactive Well Master Order dated October 1, 2019.)

API Number	District	ID Number	Lease Name	Well Number
169 30287	8A	66952	ANTELOPE	6
No approved W-3X on file				
415 01196	8A	68672	BULLARD "A"	3
No approved W-3X on file				
415 01197	8A	68672	BULLARD "A"	4
No approved W-3X on file				
415 01198	8A	68672	BULLARD "A"	5
No approved W-3X on file				
415 01213	8A	68673	BULLARD	2
No approved W-3X on file				
415 02517	8A	68797	DAVIS "A"	1
No approved W-3X on file				
415 03187	8A	12054	BROWN, J. W. "13"	4
No approved W-3X on file				
415 03206	8A	08432	BROWN, J. W. "14"	5
Surface equipment must be removed (certify on Form W-3C)				
No approved W-3X on file				
415 03621	8A	68670	RANDALS	3
No approved W-3X on file				
415 03624	8A	68975	RANDALS "D"	1
No approved W-3X on file				
415 03636	8A	68975	RANDALS "D"	4
No approved W-3X on file				
415 03641	8A	68976	RANDALS "E"	5
No approved W-3X on file				
415 03643	8A	68976	RANDALS "E"	6
No approved W-3X on file				
415 03647	8A	60667	ROLLINS, E. C.	1AS
No approved W-3X on file				
415 04136	8A	68974	RANDALS "C"	5
No approved W-3X on file				
415 04137	8A	68975	RANDALS "D"	2
No approved W-3X on file				
415 04139	8A	68975	RANDALS "D"	3
No approved W-3X on file				
415 04142	8A	68974	RANDALS "C"	9
No approved W-3X on file				

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Exhibit A

API Number	District	ID Number	Lease Name	Well Number
415 04430	8A	68797	DAVIS "A"	2
No approved W-3X on file				
415 04431	8A	68797	DAVIS "A"	3
No approved W-3X on file				
415 10385	8A	12054	BROWN, J. W. "13"	5
No approved W-3X on file				
415 10402	8A	08432	BROWN, J. W. "14"	9
Surface equipment must be removed (certify on Form W-3C)				
No approved W-3X on file				
415 30033	8A	60667	ROLLINS, E. C.	1
No approved W-3X on file				

Docket No. 20-0323095

Exhibit A